

**FOSTER SCHOOL COMMITTEE MEETING
CAPTAIN ISAAC PAINE SCHOOL CAFETERIA
March 24, 2009**

**Executive Session - 6:30 PM
Open Session – 7:00PM**

1. CONVENE MEETING:

The Chairperson called the meeting to order at 6:33 pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

Chairman Ron Cervasio, Vice Chair Cindy Bernard, and Member Dennis Chretien were present. Mr. Wallace, Superintendent, was also present.

4. EXECUTIVE SESSION:

On a motion by Mr. Chretien and seconded by Mrs. Bernard, the School Committee voted to convene into Executive Session per R.I.G.L. 42-46-5 at 6:36 pm to consider (a) Personnel (2) Collective Bargaining and Litigation. Motion passed. 3-0-0.

On a motion by Mr. Chretien and seconded by Mrs. Bernard, the School Committee voted to reconvene into Open session at 6:44 pm. Motion passed. 3-0-0.

5. RECONVENE TO OPEN SESSION:

The Chair, Mr. Cervasio, reconvened Open Session at 7:00 pm. Mr. Cervasio announced that Mr. Wallace, Superintendent, tenured his resignation effective immediately.

A motion by Mrs. Bernard seconded by Mr. Cervasio, the School Committee voted to accept the tenured resignation of Mr. Wallace effective immediately.

Motion passed. 2-1-0.

Vote as follows:

Mr. Cervasio - yes

Mrs. Bernard - yes

Mr. Chretien - no

At this point the Chair stated that item eleven (11), 'Professional Services - Legal' on the Agenda would be moved forward at this time. A motion by Mrs. Bernard and seconded by Mr. Cervasio, the School Committee voted to attain the legal services of Mr. Greg Piccirilli. Discussion ensued with Mr. John Lewis, member of the Foster Town Council, objecting to hiring the Regional Solicitor as council for the School Committee as the Town has a solicitor at the disposal of the School Committee. Mr. Chretien explained that the School Committee had approached Mr. John Bevilaqua regarding his comfort level and expertise in these areas. Mr. Bevilaqua's response was these were not his areas of expertise; he would handle them if the Committee so wished or the Committee could seek other alternatives. Mr. Chretien was not in favor of incurring additional legal expenses when the Committee has the Town Solicitor at their disposal. He was in favor of using Mr. Bevilaqua in those areas he is comfortable handling and using Mr. Greg Piccirilli on a case by case basis. Mr. Cervasio agreed. The vote was for all services

rendered and that night. Mr. Chretien stated that the services rendered were not included in the motion.

Motion passed. 2-1-0.

Vote as follows:

Mr. Cervasio - yes

Mrs. Bernard - yes

Mr. Chretien - no

Mr. Cervasio then appointed Mr. Gary Moore, Principal / Superintendent for the remainder of Mr. Wallace's term. Mr. Cervasio said it was part of Mr. Moore's job description.

Mr. Cervasio moved item six (6), 'Principal's Contract - Renewal / Non-Renewal' forward.

A motion by Mr. Chretien to renew Mr. Moore contract as Principal failed as no second was voiced.

A motion by Mrs. Bernard and seconded by Mr. Cervasio, the School Committee voted to non-renew Mr. Moore's contract as Co-Principal on the basis of financial need and declining student population and the consolidation of administrative functions in this district. The motion was opened for discussion and at this point the hearing for Mr. Moore commenced. Mr. Piccirilli, legal council for the School Committee, informed the Committee that Mr. Moore was sent a letter by the Chair of the School Committee on March 12, 2009 advising him that his contract would not be renewed. Mr. Moore was also informed of his rights to have statement of privately communicated with the reasons and those were given and the right to have a prompt hearing and be represented by legal council. Mr. Moore's legal council, Vicky Bejma, filed a motion to restrain the Committee from executing the letter which his legal council deemed as inappropriate and ineffective. There was an argument to prevent the Chair, Mr. Cervasio, from participating in the hearing because of an alleged bias he may have against Mr. Moore, and also seeking a declaration that if Mr. Moore's contract was renewed, that it would last until 2011 that in effect the contract would last for three years not one year. The arguments were made to Judge Isreal in Superior Court and each of those arguments was denied. Judge Isreal indicated that Mr. Moore would be entitled to his hearing and that the hearing should focus on the reasons that the Chair provided. Mr. Piccirilli stated that the hearing was not a performance based hearing.

At this point Mr. Moore was legally sworn in and asked questions by his legal council. Mr. Moore described his background in education. He started teaching in 1995 as a special education teacher and then as a first grade teacher. At this time then Superintendent/ Principal Dr. Carrano, promoted Mr. Moore to Aspiring Principal, with one year of training. Mr. Moore was asked by Ms. Bejma when Dr. Carrano (in his capacity of Superintendent / Principal) was out of the building who covered his duties as Principal; Mr. Moore explained that the Literacy Director (at the time), Mrs. Laramee, would cover. During Mr. Wallace's tenure, Mr. Moore was hired as the Principal of Captain Isaac Paine School. Mr. Moore relayed his duties as Principal and the time needed to run a school. Mr. Moore also relayed the many programs that are in the school

system, many required by the Rhode Island Department of Education (RIDE). Some of these programs are No Child Left Behind, Response to Intervention (RTI), teacher evaluations, and the new Positive Behavioral System.

At this point Mrs. Barbara Portney, teacher, was sworn in as a witness for Mr. Moore. Mrs. Portney relayed that she has been teaching since 1969, then took time for raising her children and was hired as a special education teacher for the Foster School Department in 1979. In 1995 Mrs. Portney moved into a fourth grade inclusion classroom. During this time, she served under the Superintendent / Principal Dr. Andrew Carrano. In many instances behavioral issues could not be addressed by the Principal because Dr. Carrano was out of the building dealing with Superintendent Business. The secondary person had no authority to deal with issues that arose. It was difficult to address Dr. Carrano as Principal when he was also in the roll of Superintendent.

At this point Mr. Cervasio, Chair of the Foster School Committee, was sworn in. Mr. Cervasio stated that the School Committee had not voted to combine the two positions (Superintendent / Principal). Mr. Cervasio stated that he had not consulted with the other School Committee members about the non-renewal of Mr. Moore's contract. He further explained that Mr. Moore would be highly considered for the Superintendent / Principal's position should the School Committee vote in that direction and should Mr. Moore apply. Mr. Moore also has the legal right to go back into the classroom.

Discussion ensued after the hearing.

Mr. Chretien said that the School Committee has been discussing the possibility of combining the Superintendent / Principal position and that it should be an ongoing discussion. The Town Council had asked the School Committee to look at the option of combining the Superintendent / Principal position and how it might save dollars. Apart-time Superintendent saves on benefits (none are paid); a disadvantage is having to advertise every year for a Superintendent. Most applicants don't want a part-time position without any benefits, so usually a retired Superintendent applies and is granted the position. Mr. Chretien admitted he would like to keep Mr. Moore and Mr. Wallace and keep Mr. Wallace in Glocester (where he is the Interim Superintendent). This would work for communication and for smoother transfers of students to the middle and high schools. He felt that this is not an educational issue but more of a communicational issue.

At this point the motion was voted on and passed. 2-1-0.

Vote as follows:

Mr. Cervasio - yes

Mrs. Bernard - yes

Mr. Chretien - no

On a motion by Mrs. Bernard and seconded by Mr. Cervasio the Committee voted to recess for ten minutes. Motion passed. 3-0-0.

After a couple of minutes Mrs. Bernard made a motion to adjourn the meeting and Mr. Cervasio seconded. The Committee voted to adjourn at 8:15 pm. Motion passed. 3-0-0.

Respectfully submitted,

Helena McCullough
School Committee Clerk